

REMARKS

Claims 12-25 are pending in this application. Withdrawn claims 5-8 have been cancelled without prejudice to expedite allowance.

Claims 16-17 and 25 have been withdrawn from consideration as being directed to an independent and distinct invention from claims 12-15 and 18-24 under examination.

Claims 16-17 have been amended so as to be dependent upon claim 15. According such claims are no longer independent or distinct from the claims under examination. Regarding claim 25, this method of use claim is dependent upon the product claim 22. Since claim 25 incorporates all limitations of the product claim under examination, it is respectfully requested that this claim should be rejoined upon allowance of the product claim in accordance with standing PTO policy.

Claims 18-24 have been objected to as being dependent upon non-elected claims 16-17. This objection is deemed to be overcome by the foregoing amendments.

Claims 12-15 and 18-23 are rejected under 35 USC 101 as being directed to non-statutory subject matter, as being directed to products of nature. This rejection is respectfully traversed.

The claimed peptides are not products of nature. Moreover, the claimed invention is distinctly different from the invention of USP 6,503,729, which is directed to whole-genome random sequencing, in comparison to the claimed invention, which is a relatively short peptide having affinity for gp120. Nevertheless to remove any possible concern, the claims have been amended to recite that the claimed peptide is a “partial” peptide, to exclude the possibility of the sequence potentially existing in nature.

Claim 15 is rejected under 35 USC 102 as being anticipated by USP 6,503,729. This ground of rejection is deemed to be overcome by the foregoing amendments.

Claim 15 has been amended to specify that the partial peptide consists of “up to 10 amino acids”, to exclude the lengthy polypeptide taught in USP 6,503,729. Support is found in the specification at page 8, lines 18-21. The specification describes that the peptide may be “less than 10” amino acids at line 20. The description at line 21 teaches that the peptide may be “or a polypeptide of more than this”. Hence a length of “up to 10 amino acids” is clearly inherently taught.

The term “medicine” in claims 18 and 20 has been revised to “medicinal compound” as

suggested by the Examiner in his telephone call.

The term "and" in claim 18 has been revised to "bound to" as suggested by the Examiner.

Claim 25 has been clarified to specify that the HIV viruses are absorbed and removed which have affinity to the compound of claim 22.

In view of the foregoing amended claims, and remarks, it is respectfully submitted that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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